

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, November 29, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Monday, November 27, 2023, at 1:20 P.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:16 P.M.

ROLL CALL:

Hall-Harper	Absent	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Present		
	Present:	8	
	Absent:	1	

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Chris Baughman, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on October 25, 2023. [CC 11/29/23] 23-1016-1
- b. Minutes of Regular Meeting held at 5:00 PM on October 25, 2023. [CC 11/29/23] 23-1016-2
- c. Minutes of Regular Meeting held at 4:00 PM on November 1, 2023. [CC 11/29/23] 23-1017-1
- d. Minutes of Regular Meeting held at 5:00 PM on November 1, 2023. [CC 11/29/23] 23-1017-2

Councilor Lakin moved to approve 1.a – 1.d. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

Councilor Decter Wright recused at 5:17 P.M.

2. APPOINTMENTS & REAPPOINTMENTS

- a.

Holbrook Lawson – Reappointment to the Arts Commission of the City of Tulsa; term expires December 14, 2026. (Attended 8/10 meetings.) (CD-4) [UED 11/15/23; CC 11/29/23] 23-985-1
- b.

Blake Zimmerman – Reappointment to the Ethics Advisory Committee; term expires December 1, 2026. (Attended 8/9 meetings.) (CD-9) [PW 11/15/23; CC 11/29/23] 23-986-1

Public Comments:
John Huffines – 2.a – 2.b.

Councilor Lakin moved to approve 2.a – 2.b. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Absent
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

Councilor Decter Wright returned at 5:19 P.M.

3. PUBLIC HEARINGS

- a.

No items this week.

4. MAYOR’S ITEMS

- a.

Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b.

Consideration and possible approval, adoption, denial, amendment or revision of a Resolution naming Tulsa International Airport's new Air Traffic Control Facility Complex in honor of Senator James M. Inhofe. [PW 11/15/23; CC 11/29/23] 23-938-2
- c.

Consideration and possible approval, adoption, denial, amendment or revision of a Resolution declaring the intent to consider approval of a project plan and creation of one or more Tax Incentive Districts under the Local Development Act, directing preparation of a project plan when appropriate, appointing a Review Committee, directing the Review Committee to make findings as to eligibility and financial impact, if any, on taxing jurisdictions and business activities within any proposed districts; directing the Review Committee to make recommendations with respect to any proposed project plan. [PW 11/1/23; CC 11/15/23; CC 11/29/23] 23-925-3
- d.

Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and the Congregation B'nai Emunah, Inc. for property located at 1719 S. Owasso Ave., to install, use and maintain decorative pavement and crosswalk features, benches, stairs, ADA ramp, electrical fixtures, landscaping and associated irrigation service lines, and screening wall. (CD-4) [PW 11/15/23; CC 11/29/23] 23-980-2

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- e. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Kevin L. and Stephanie R. Mitchell, or their successor, Co-Trustees of the Mitchell Joint Revocable Trust, dated December 27, 2018, for property located at 2405 E. 24th St., for the replacement of a retaining wall and landscaping. (CD-4) [PW 11/15/23; CC 11/29/23] 23-981-2
 - f. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Salina-Spavinaw Telephone Company, Inc., for property located near 69 NE 437 Dr., Spavinaw, OK, for the boring of fiber optics underneath City of Tulsa raw water flowlines. (Mayes County) [PW 11/15/23; CC 11/29/23] 23-982-2
 - g. Consideration and possible approval, adoption, denial, amendment or revision of a Waterline Easement Donation by William E. and Mary L. Call of property located at 17311 E. 31st St., Parcel 4A, Unplatted, for the 31st St. S. - 161st E. Ave. to 193rd E. Ave. Project. (CD-6) [CC 11/29/23] 23-948-1
 - h. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: ABATE/Marines Toys for Tots Toy Run scheduled for December 10, 2023, starting at 4145 E. 21st St. (CD-2,4,5,9) [CC 11/29/23] 23-1011-1
 - i. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Annual Toy Run 2023 scheduled for December 3, 2023, starting at 3200 S. Riverside Dr. (CD-1,4,9) [CC 11/29/23] 23-1012-1
 - j. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: BOK Center December 2023 Events scheduled for December 1-31, 2023, at 100 S. Denver Ave. (CD-1,4) [CC 11/29/23] 23-1013-1
 - k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Jim Glover Auto Family Toy Cruise scheduled for December 9, 2023, starting at 707 W. 51st St. (CD-1,2,3,4) [CC 11/29/23] 23-1014-1
 - l. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Christmas Parade scheduled for December 9, 2023, starting at 212 E. 6th St. (CD-1,4) [CC 11/29/23] 23-1015-1
 - m. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Farmers' Market scheduled for December 2, 9, 16, 30, 2023, at 1 S. Lewis Ave. (CD-4) [CC 11/29/23] 23-1019-1
 - n. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: University of Tulsa Events scheduled for December 5, 11, 16, 19, 22, 29, 2023, at 1100 S. Gary Pl. (CD-4) [CC 11/29/23] 23-1020-1
 - o. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: December 2023 Guthrie Green Events scheduled for December 1, 2, 15, 16, 17, 18, 19, 20, 21, and 22, 2023, at 200 N. Martin Luther King, Jr. Blvd. (CD-1) [CC 11/29/23] 23-1021-1
 - p. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Winterlight Chanukah scheduled for December 10, 2023, at 1719 S. Owasso Ave. (CD-4) [CC 11/29/23] 23-1022-1

Public Comments:

John Huffines – 4.h, 4.j, 4.l, 4.p.

Councilor Lakin moved to approve 4.b – 4.p. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

5.a was not voted on but, without objection, was forwarded to the next City Council meeting. 5.b – 5.d were voted on separately.

- a. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance ZCA-28, amending the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances, Chapter 5, Residential Districts: Table 5-2: R District Use Regulations; Chapter 10, Mixed-use Districts: Table 10-2: MX District Use Regulations; Chapter 15, Office, Commercial and Industrial Districts: Table 15-2: O, C, and I District Use Regulations; Chapter 25, Special Districts: Table 25-1: AG District Use Regulations; Table 25-4: CO District Use Regulations; Table 25-5: SR District Use Regulations; Table 25-7: IMX District Use Regulations; Chapter 35, Building Types and Use Categories: Sec. 35.040-D Day Care; Chapter 40, Supplemental Use and Building Regulations: Section 40.120: Day Cares; and Chapter 45, Accessory Uses and Structures: Sec. 45.070 Family Child Care Homes; Figure 45-2: Separation Requirements for Family Child Care Homes. (TMAPC voted 5-4-0 to recommend the City Council **ADOPT** the proposed amendments.) [UED 11/15/23; PW 11/29/23; CC 11/29/23; CC 12/6/23] 23-950-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7740 from CG and RS-2 to CG for property located south of the SE/c of E. 5th St. S. and S. 129th E. Ave. requested by Sandra Mora. (Property owner: Sandra and Antonia Mora) (CD-3) (TMAPC voted 9-0-0 to recommend **APPROVAL** of CG zoning.) [UED 11/15/23; CC 11/29/23; CC 12/6/23] 23-951-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application PUD-509-A abandoning PUD-509 for property located south of the SE/c of E. 5th St. S. and S. 129th E. Ave. requested by Sandra Mora. (Property owner: Sandra and Antonia Mora) (CD-3) (TMAPC voted 9-0-0 to recommend **APPROVAL** of PUD-509-A.) [UED 11/15/23; CC 11/29/23; CC 12/6/23] 23-952-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7741 from OM/NIO to RM-2/NIO for property located at the NE/c of S. Denver Ave. and W. 14th St. requested by Barbara Green. (Property owner: LBS, LLC) (CD-4) (TMAPC voted 9-0-0 to recommend **APPROVAL** of RM-2/NIO zoning.) [UED 11/15/23; CC 11/29/23; CC 12/6/23] 23-953-2

Councilor Lakin moved to approve 5.b – 5.d. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea

Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 8	Nays: 0	Absent: 1	Abstentions: 0
Motion carried.			

6. **ORDINANCES - FIRST READING**

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of thirty-five thousand dollars (\$35,000.00) from unappropriated and unencumbered fund balance within the General Fund. (Root Tulsa Re-Appropriations) [PW 11/29/23; CC 11/29/23; CC 12/6/23] 23-1004-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to transfer unappropriated and unencumbered appropriation balances of thirty-nine thousand dollars (\$39,000.00) between departments, account groups, and projects within the Department of Justice Protective Order and Arrest SubFund. (Office of Violence Against Women Improving Criminal Justice Response Grant) [PW 11/29/23; CC 11/29/23; CC 12/6/23] 23-1005-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of three hundred thirty-five thousand dollars (\$335,000.00) recognized from unappropriated fund balance within the Convention and Tourism Facility Fund. (Managed Entities - Culture and Recreation) [PW 11/29/23; CC 11/29/23; CC 12/6/23] 23-1006-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to make supplemental appropriations of one hundred one thousand, one hundred dollars (\$101,100.00) from grant revenues to be received from the World Education Services within the Social Eco Development Non-Federal SubFund. (World Education Services) [PW 11/29/23; CC 11/29/23; CC 12/6/23] 23-1007-2

Without objection, items 6.a – 6.d were forwarded to the next Council meeting.

7. **ORDINANCES - SECOND READING**

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Public Way requested by Todd Gore of the Oklahoma Turnpike Authority. The requested closing is the public way for a portion of the former alignment of the old South 57th West Avenue north of West 41st St. S. for approximately 360 feet. This portion of South 57th West Avenue was reconstructed on a new alignment east of this Public Way and west of the new Gilcrease Expressway. The new alignment for South 57th West Avenue is complete and is operational. (CD-2) (Public Hearing: 11/15/23) [PW 11/15/23; CC 11/15/23; CC 11/29/23] 23-829-5
- b. Consideration and possible approval, adoption, denial, amendment or revision of a Ordinance amending the fiscal year 2023-2024 budget to transfer unencumbered and unexpended appropriation balances of five hundred ten thousand dollars (\$510,000.00) between accounts within the 2014 Sales Tax Fund. (IT Enforcement Records Management Project) [UED 11/15/23; CC 11/15/23; CC 11/29/23] 23-934-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2023-2024 budget to transfer available appropriations of four thousand, seven hundred dollars (\$4,700.00) between

departments within the Technology Fee Assessment Fund. (Municipal Court Docket Software) [UED 11/15/23; CC 11/15/23; CC 11/29/23] 23-935-2

- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Tulsa Revised Ordinances (TRO), Title 3, “Public Property, Records, Flag, Seal,” Chapter 2, “Corporate Seal, Council Seal And City Flag,” Section 200, “Corporate Seal”, relating to the design of the Corporate Seal of the City of Tulsa, Oklahoma. [PW 11/15/23; CC 11/15/23; PW 11/29/23; CC 11/29/23] 23-991-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Tulsa Revised Ordinances (TRO), Title 28, titled “The Municipal Employees’ Retirement Plan,” Chapter 7, titled “Forms of Pension Retirement Income,” amending Section 704(A) to increase the required minimum distribution age in accordance with the requirements of the Internal Revenue Code; providing for severability; and providing for repeal of conflicting ordinances. [UED 11/15/23; CC 11/15/23; CC 11/29/23] 23-971-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 27, Tulsa Revised Ordinances, Chapter 21, “Private Property”, Section 2106, “Trespassing”, by amending the potential punishment for violation of said section. (Cue, Patrick, Decter Wright, Lakin) [PW 11/15/23; CC 11/15/23; CC 11/29/23] 23-975-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Tulsa Revised Ordinances (TRO), Title 2, "Animals," amending Chapter 4, "Miscellaneous Provisions"; deleting the text of Section 406, "Outdoor Shelter Requirements," and reserving Section 406 for future legislation; deleting the title of Section 406, "Outdoor Shelter Requirements," and printing the word "Reserved" in its place; enacting a new Section 401, to be titled "Standards of Humane Care and Treatment"; setting forth the obligations of any person possessing an animal within the Corporate Limits of the City of Tulsa; establishing standards of cleanliness, health, nutrition and sanitation for animals' shelters and exercise spaces; setting requirements for collars, leashes and tethering; granting authority to City Officers to enforce the terms of this ordinance; providing a graduated schedule of penalties for violation of this ordinance. **(Emergency Clause)** [PW 11/15/23; CC 11/15/23; PW 11/29/23; CC 11/29/23] 23-933-2

Public Comments:
Michael Devine Pennington – 7.f.

Councilor Lakin moved to approve 7.a – 7.g with amendments on 7.d and 7.g and with the emergency clause on 7.g. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 8 Nays: 0 Absent: 1 Abstentions: 0

Motion carried.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Decter Wright thanked Councilor Patrick for being Council Chair and thanked everyone for their work on the Trespass and Animal ordinances. Councilor Bengel reminded everyone that a social District 6 Town Hall will be December 5, 2023. Councilor Patrick announced that there would be a Dawson neighborhood meeting on December 5, 2023.

Public Comments:
John Huffines – 8.a.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from Alderman O'Shea's Campaign Fund - Friends of Matt O'Shea in the amount of eight hundred forty-two dollars and forty-seven cents (\$842.47) for Councilor Hall-Harper to travel to Chicago, IL on December 4-6, 2023, to testify before the City of Chicago Committee on Licensing and Consumer Protection. [CC 11/29/23] 23-1024-1

Public Comments:
James Alexander, Jr. – 8.b.

Councilor Lakin moved to approve 8.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 8 Nays: 0 Absent: 1 Abstentions: 0

Motion carried.

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. No items this week.

11. HEARING OF PUBLIC COMMENTS

- a. Eddie Santana – Concerns regarding the misappropriation of Low Income Household Water Assistance Program (LIHWAP) funds. [CC 11/29/23] 23-1018-1

Eddie Santana addressed the Council.

12. ADJOURNMENT

- a. Adjournment.

Chair Patrick adjourned the meeting at 5:53 P.M.

Jeannie Cue, Chair of the Council

Lori Doring, Secretary to the Council